

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA** : **MAGISTRATE NO. 21-MJ-167 (GMH)**  
 :  
 v. :  
 :  
**TROY FAULKNER,** :  
**Defendant.** :

**MOTION FOR TRANSPORT ORDER**

The United States of America, by and through the undersigned Assistant United States Attorney, respectfully requests that this Court enter an Order directing the United States Marshals Service to transport defendant Troy Faulkner from the Southern District of Ohio to the District of Columbia for further proceedings on the Complaint filed against him, charging the defendant with 18 U.S.C. § 1361 - Destruction of Government Property; 18 U.S.C. § 1512(c)(2) - Obstruction of an Official Proceeding; 18 U.S.C. 1752 (a)(1)(2)and (4) - Knowingly Entering or Remaining in a physical violence against any person or property in any restricted building or grounds without lawful authority; and 40 U.S.C. § 5104(e)(2)(D) and (G) - Violent Entry or Disorderly Conduct, obstruct, or impede passage, and parade, demonstrate, or picket on Capitol Grounds. In support of its motion, the United States states as follows:

1. On or about January 29, 2021, the defendant, Troy Faulkner, was arrested in his home state of Ohio on an arrest warrant issued out of the United States District Court for the District of Columbia by Magistrate Judge G. Michael Harvey in connection with a Criminal Complaint charging the defendant with 18 U.S.C. § 1361 - Destruction of Government Property; 18 U.S.C. § 1512(c)(2) - Obstruction of an Official Proceeding; 18 U.S.C. 1752 (a)(1)(2)and (4) - Knowingly Entering or

Remaining in a physical violence against any person or property in any restricted building or grounds without lawful authority; and 40 U.S.C. § 5104(e)(2)(D) and (G) - Violent Entry or Disorderly Conduct, obstruct, or impede passage, and parade, demonstrate, or picket on Capitol Grounds.

2. Defendant Faulkner made his initial appearance on or about January 29, 2021, in front of a magistrate judge in the Southern District of Ohio. At his initial appearance, the government made a motion to detain the defendant without bond pending trial pursuant to 8 U.S.C. § 3142(f)(1)(A) because he is charged with a felony crime of violence, which provides for detention in felony cases. The court scheduled the Defendant's detention hearing for February 1, 2021.
3. On February 1, 2021, the presiding Magistrate Judge denied the government's detention motion and released the Defendant pursuant to certain conditions.
4. An Assistant United States Attorney for the Southern District of Ohio orally moved to stay the defendant's release pending an appeal by the government. The magistrate judge granted that request, and absent further action, the release will be effectuated at approximately 12:00 p.m. EST on February 2, 2021.
5. The United States filed in this Court an Emergency Motion to Review the Court's Release Order on February 1, 2021.
6. In order to have counsel appointed to represent the defendant in the District of Columbia, to resolve the pending motion to review the release determination made by the Magistrate Judge in the Southern District of Ohio, and to conduct further proceedings in this matter, the defendant, who remains temporarily detained, needs to be transported to the District of Columbia by the United States Marshals Service.

Accordingly, the United States moves this Court to issue an Order directing the United States Marshals Service to transport defendant Troy Faulkner forthwith to the District of Columbia for further proceedings.

Respectfully submitted,

MICHAEL R. SHERWIN  
ACTING UNITED STATES ATTORNEY

/s/Emory V. Cole

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